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SENATE BILL 400

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO REIMBURSEMENT FOR PER DIEM AND MILEAGE EXPENSES;  
PROVIDING FOR THE REIMBURSEMENT OF LEGISLATORS FOR TRAVEL  
WITHIN THE STATE ONE HUNDRED MILES OR MORE FROM THEIR HOMES FOR  
OFFICIAL INTERIM COMMITTEE BUSINESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 2-1-9 NMSA 1978 (being Laws 1971,  
Chapter 1, Section 11, as amended) is amended to read:

"2-1-9. OUT-OF-STATE TRAVEL--IN-STATE TRAVEL. --

A. Out-of-state travel of members, officers and  
employees of the legislative branch of government shall be  
exempt from approval by any member of the executive branch.

B. Members of the legislature serving on official  
business for interim committees within the state shall receive:

(1) per diem at the internal revenue service

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1 per diem rate as provided in Section 2-1-8 NMSA 1978 for each  
2 day served, including travel time, and the cost of public  
3 transportation by the shortest, most direct route or mileage  
4 for each mile traveled by the shortest, most direct route by  
5 automobiles at the internal revenue service standard mileage  
6 rate or by privately owned aircraft at the air mileage rate set  
7 out by the rules adopted by the department of finance and  
8 administration pursuant to the Per Diem and Mileage Act; and  
9 (2) per diem for one additional day at the  
10 internal revenue service per diem rate as provided in Section  
11 2-1-8 NMSA 1978 if, in order to serve on official business for  
12 an interim committee, a legislator travels to a location that  
13 is one hundred or more miles from the location of the  
14 legislator's point of departure.

15 C. Reimbursement for out-of-state travel on  
16 committee business shall be as follows:

17 (1) the cost of the tickets on public  
18 transportation by the shortest, most direct route and the cost  
19 of airport parking; or

20 (2) mileage at the same rates established for  
21 in-state travel if automobiles or private airplanes are used,  
22 based on official mileage by the shortest, most direct route;  
23 and

24 (3) per diem for the number of days spent in  
25 travel and on committee business at the in-state rate provided

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1 for in Section 2-1-8 NMSA 1978; and

2 (4) in no event, however, shall the  
3 reimbursement for out-of-state travel exceed the dollar amount  
4 that would be due if the member had used first class public air  
5 transportation by the shortest, most direct route. "

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